

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

vs.

Criminal No. 04-X-73617
Honorable John Corbett O'Meara

D-1 JOHN EARL COLE, Sr.,

Defendant.

**ORDER INDICATING THAT THE COURT IS INCLINED TO GRANT THE
UNITED STATES' MOTION FOR RELIEF FROM ORDERS DENYING
PETITIONS BY U.S. BANK, CALDWELL MANAGEMENT AND OCWEN
FEDERAL BANK FSB AND FROM FINAL ORDERS OF FORFEITURE**

Upon the Motion of the United States to ascertain whether the District Court is inclined to grant the motion for relief from orders denying the ancillary petitions of U.S. Bank, Caldwell Management and Ocwen Federal Bank FSB and from final orders of forfeiture pursuant to First National Bank of Salem, Ohio v. Hirsch, et al, 535 F.2d 343 (6th Cir. 1976), so that a motion for remand can be filed with the Court of Appeals and the settlement reached between the parties ultimately implemented, and the Court being otherwise fully advised in the premises, now, therefore;

IT IS HEREBY ORDERED that for purposes of facilitating remand from the Sixth Circuit Court of Appeals in connection with Appeal No. 05-1526, this Court is inclined to grant the United States' Motion for relief from the March 30 and April 6, 2005 orders denying ancillary petitions and forfeiting parcels of real property commonly known as 5500 W. Outer

Drive, 18523 Wexford and 11845 Minden, all located in Detroit, Michigan.

s/John Corbett O'Meara
John Corbett O'Meara
United States District Judge

Dated: January 11, 2006